

Date	Trade/Order Date	Day of week	Time (Incentivized)	Time of day	Event	Call Duration of call	Source	Number Dated	Security	Priority/Share or Contract	Amount	Net Trade Value (Per spreadsheet)	Source
7/1/2006	7/1/2006	Mon	10:32:00 AM	10:32:00 AM	Phone Call	0:00:18	64741	1192332201600	VERITAS	52.05	(52,50.00)	(52,030.00)	CS excel file
7/3/2006	7/3/2006	Mon	12:08:00 PM	12:08:00 PM	Phone Call	0:00:18	64741	1192332201600	VERITAS	52.05	(52,50.00)	(52,030.00)	CS excel file
7/5/2006	7/5/2006	Wed	16:40:00 PM	16:40:00 PM	Phone Call	0:00:18	64741	1192332201600	VERITAS	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Mon	10:56:00 AM	10:56:00 AM	Purchase 1,000 Veritas	0:00:18	64741	1192332201600	VERITAS	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Mon	11:30:00 AM	11:30:00 AM	Phone Call	0:00:18	64741	1192332201600	VERITAS	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Mon	11:44:55 AM	11:44:55 AM	Phone Call	0:00:18	64741	1192332201600	VERITAS	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Mon	9:05:00 AM	9:05:00 AM	Purchase 500 Veritas	0:00:18	64741	1192332201600	VERITAS	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Mon	9:07:30 AM	9:07:30 AM	Phone Call	0:00:18	64741	1192332201600	VERITAS	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Mon	1:34:00 PM	1:34:00 PM	Phone Call	0:00:18	64741	1192332201600	VERITAS	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Mon	7:22:00 AM	7:22:00 AM	Phone call (Outgoing text message)	0:00:18	64741	1192332201600	VERITAS	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Mon	8:06:00 AM	8:06:00 AM	Phone call (Outgoing text message)	0:00:18	64741	1192332201600	VERITAS	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Mon	8:25:00 AM	8:25:00 AM	Phone Call	0:00:18	64741	1192332201600	VERITAS	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Mon	11:09:50 AM	11:09:50 AM	Phone Call	0:00:18	64741	1192332201600	VERITAS	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Mon	11:09:00 AM	11:09:00 AM	Phone Call	0:00:18	64741	1192332201600	VERITAS	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Mon	11:11:00 AM	11:11:00 AM	Phone Call	0:00:18	64741	1192332201600	VERITAS	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Mon	12:29:56 PM	12:29:56 PM	Phone Call	0:00:18	64741	1192332201600	VERITAS	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Tue	10:20:00 AM	10:20:00 AM	Purchase 1,000 Veritas	0:00:18	64741	1192332201600	VERITAS	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Thu	9:15:00 AM	9:15:00 AM	Purchase 1,000 Veritas	0:00:18	64741	1192332201600	VERITAS	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Thu	9:15:00 AM	9:15:00 AM	CS begin to perform analysis for Woodstep	0:00:18	64741	1192332201600	VERITAS	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Sat	7:01:00 AM	7:01:00 AM	Phone call (Outgoing text message)	0:00:18	64741	1192332201600	ENERGY PTRS.	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Wed	7:07:00 AM	7:07:00 AM	Phone call (Outgoing text message)	0:00:18	64741	1192332201600	ENERGY PTRS.	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Wed	11:55:00 AM	11:55:00 AM	Phone Call	0:00:18	64741	1192332201600	ENERGY PTRS.	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Wed	13:43:00 PM	13:43:00 PM	Phone Call	0:00:18	64741	1192332201600	ENERGY PTRS.	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Wed	13:56:00 PM	13:56:00 PM	Phone Call	0:00:18	64741	1192332201600	ENERGY PTRS.	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Fri	10:11:00 AM	10:11:00 AM	Phone Call	0:00:18	64741	1192332201600	ENERGY PTRS.	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Fri	11:47:00 AM	11:47:00 AM	Phone Call	0:00:18	64741	1192332201600	ENERGY PTRS.	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Fri	11:53:20 PM	11:53:20 PM	Purchase 2,000 Energy Partners Ltd	0:00:18	64741	1192332201600	ENERGY PTRS.	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Fri	11:53:46 PM	11:53:46 PM	Purchase 1,000 Veritas	0:00:18	64741	1192332201600	ENERGY PTRS.	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Tue	9:28:00 AM	9:28:00 AM	Phone Call	0:00:18	64741	1192332201600	ENERGY PTRS.	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Tue	11:27:00 AM	11:27:00 AM	Phone Call	0:00:18	64741	1192332201600	ENERGY PTRS.	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Tue	11:36:55 AM	11:36:55 AM	Phone Call	0:00:18	64741	1192332201600	ENERGY PTRS.	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Wed	11:26:30 PM	11:26:30 PM	Purchase 2,000 Energy Partners Ltd.	0:00:18	64741	1192332201600	ENERGY PTRS.	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Wed	12:21:00 PM	12:21:00 PM	Phone Call	0:00:18	64741	1192332201600	ENERGY PTRS.	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Wed	12:31:00 PM	12:31:00 PM	Phone Call	0:00:18	64741	1192332201600	ENERGY PTRS.	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Wed	1:56:00 PM	1:56:00 PM	Phone Call	0:00:18	64741	1192332201600	ENERGY PTRS.	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Wed	2:02:27 PM	2:02:27 PM	Purchase 100 Energy Partners	0:00:18	64741	1192332201600	ENERGY PTRS.	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Thu	2:02:27 PM	2:02:27 PM	Purchase 100 Energy Partners	0:00:18	64741	1192332201600	ENERGY PTRS.	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Thu	9:54:00 AM	9:54:00 AM	Purchase 100 Energy Partners	0:00:18	64741	1192332201600	ENERGY PTRS.	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Thu	9:54:44 AM	9:54:44 AM	Phone Call	0:00:18	64741	1192332201600	ENERGY PTRS.	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Thu	2:41:00 PM	2:41:00 PM	Purchase 3,000 Energy Partners Ltd.	0:00:18	64741	1192332201600	ENERGY PTRS.	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Thu	3:41:17 PM	3:41:17 PM	Phone Call	0:00:18	64741	1192332201600	ENERGY PTRS.	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Thu	15:41:17 PM	15:41:17 PM	Purchase 1,300 Energy Partners Ltd.	0:00:18	64741	1192332201600	ENERGY PTRS.	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Thu	11:23:00 AM	11:23:00 AM	Phone Call	0:00:18	64741	1192332201600	ENERGY PTRS.	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Thu	12:44:22 PM	12:44:22 PM	Purchase 6,000 Energy Partners Ltd.	0:00:18	64741	1192332201600	ENERGY PTRS.	52.05	(52,50.00)	(52,030.00)	CS excel file
7/10/2006	7/10/2006	Thu	10:27:29 AM	10:27:29 AM	Purchase 2,000 Energy Partners Ltd	0:00:18	64741	1192332201600	ENERGY PTRS.	52.05	(52,50.00)	(52,030.00)	CS excel file
8/11/2006	8/11/2006	Fri			Credit Suisse/Hoodie engagement letter to advise the company on its uncompleted proposal to acquire Energy Partners Limited				ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	5:32:30 PM	17:32:30 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	9:25:07 AM	10:25:07 AM	Phone Call	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	9:25:07 AM	10:25:07 AM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	10:27:12 AM	10:27:12 AM	Purchase 8,000 Veritas	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM	Nasdaq accesses EPL doc	0:00:18	64741	1192332201600	ENERGY PTRS.				
8/13/2006	8/13/2006	Sat	15:50:01 PM	15:50:01 PM									

Date	Trade/Order Date	Day of week	Time (mm:ss)	Time of day	Event	Call Duration of call	Source	Number Dialed	Security	Priority/Share or Contract	Amount	Net Trade Value (Per spreadsheet)	Source
9/4/2006	9/4/2006	Tue	7:00:00 AM	7:00:00 AM	Priffs team press release announcing CCG will acquire all shares for approximately \$75 million per share.	0:02:56	64741	11923332201600	VERITAS	70.0317	1,048,923.25	1,048,923.25	CS excel file
9/5/2006	9/5/2006	Tue	9:48:00 AM	9:48 AM	Phone Call	0:02:24	64741	11923332201600	VERITAS	70.4878	701,834.35	701,834.35	CS excel file
9/6/2006	9/6/2006	Tue	11:50:00 AM	11:50 AM	Phone Call	0:02:56	64741	11923332201600	VERITAS	70.0317	1,048,923.25	1,048,923.25	CS excel file
9/7/2006	9/7/2006	Tue	11:50:00 AM	11:50 AM	Phone Call	0:02:24	64741	11923332201600	VERITAS	70.4878	701,834.35	701,834.35	CS excel file
9/8/2006	9/8/2006	Wed	9:28:00 AM	9:28 AM	Phone Call	0:02:56	64741	11923332201600	VERITAS	70.0317	1,048,923.25	1,048,923.25	CS excel file
9/9/2006	9/9/2006	Wed	10:35:58 AM	10:35 AM	Phone Call	0:02:24	64741	11923332201600	VERITAS	70.4878	701,834.35	701,834.35	CS excel file
9/12/2006	9/12/2006	Wed	11:47:00 AM	11:47 AM	Phone Call	0:02:56	64741	11923332201600	VERITAS	70.0317	1,048,923.25	1,048,923.25	CS excel file
9/13/2006	9/13/2006	Wed	12:54:00 PM	12:54 PM	Phone Call	0:02:24	64741	11923332201600	VERITAS	70.4878	701,834.35	701,834.35	CS excel file
9/14/2006	9/14/2006	Thu	10:01:00 AM	10:01 AM	Phone Call	0:02:56	64741	11923332201600	VERITAS	70.0317	1,048,923.25	1,048,923.25	CS excel file
9/15/2006	9/15/2006	Thu	12:13:00 PM	12:13 PM	Phone Call	0:02:24	64741	11923332201600	VERITAS	70.4878	701,834.35	701,834.35	CS excel file
9/16/2006	9/16/2006	Thu	12:13:00 PM	12:13 PM	Phone Call	0:02:56	64741	11923332201600	VERITAS	70.0317	1,048,923.25	1,048,923.25	CS excel file
9/17/2006	9/17/2006	Thu	12:13:00 PM	12:13 PM	Phone Call	0:02:24	64741	11923332201600	VERITAS	70.4878	701,834.35	701,834.35	CS excel file
9/18/2006	9/18/2006	Thu	12:13:00 PM	12:13 PM	Phone Call	0:02:56	64741	11923332201600	VERITAS	70.0317	1,048,923.25	1,048,923.25	CS excel file
9/19/2006	9/19/2006	Thu	12:13:00 PM	12:13 PM	Phone Call	0:02:24	64741	11923332201600	VERITAS	70.4878	701,834.35	701,834.35	CS excel file
9/20/2006	9/20/2006	Thu	12:13:00 PM	12:13 PM	Phone Call	0:02:56	64741	11923332201600	VERITAS	70.0317	1,048,923.25	1,048,923.25	CS excel file
9/21/2006	9/21/2006	Thu	12:13:00 PM	12:13 PM	Phone Call	0:02:24	64741	11923332201600	VERITAS	70.4878	701,834.35	701,834.35	CS excel file
9/22/2006	9/22/2006	Thu	12:13:00 PM	12:13 PM	Phone Call	0:02:56	64741	11923332201600	VERITAS	70.0317	1,048,923.25	1,048,923.25	CS excel file
9/23/2006	9/23/2006	Thu	12:13:00 PM	12:13 PM	Phone Call	0:02:24	64741	11923332201600	VERITAS	70.4878	701,834.35	701,834.35	CS excel file
9/24/2006	9/24/2006	Thu	12:13:00 PM	12:13 PM	Phone Call	0:02:56	64741	11923332201600	VERITAS	70.0317	1,048,923.25	1,048,923.25	CS excel file
9/25/2006	9/25/2006	Thu	12:13:00 PM	12:13 PM	Phone Call	0:02:24	64741	11923332201600	VERITAS	70.4878	701,834.35	701,834.35	CS excel file
9/26/2006	9/26/2006	Thu	12:13:00 PM	12:13 PM	Phone Call	0:02:56	64741	11923332201600	VERITAS	70.0317	1,048,923.25	1,048,923.25	CS excel file
9/27/2006	9/27/2006	Thu	12:13:00 PM	12:13 PM	Phone Call	0:02:24	64741	11923332201600	VERITAS	70.4878	701,834.35	701,834.35	CS excel file
9/28/2006	9/28/2006	Thu	12:13:00 PM	12:13 PM	Phone Call	0:02:56	64741	11923332201600	VERITAS	70.0317	1,048,923.25	1,048,923.25	CS excel file
9/29/2006	9/29/2006	Thu	12:13:00 PM	12:13 PM	Phone Call	0:02:24	64741	11923332201600	VERITAS	70.4878	701,834.35	701,834.35	CS excel file
9/30/2006	9/30/2006	Thu	12:13:00 PM	12:13 PM	Phone Call	0:02:56	64741	11923332201600	VERITAS	70.0317	1,048,923.25	1,048,923.25	CS excel file
10/1/2006	10/1/2006	Fri	12:15:32 PM	12:15:32 PM	Purchase 20,000 Jaccuzi Brands	0:00:46	64741	11923332201600	JACUZZI	10.2182	(207,544.00)	(207,544.00)	CS excel file
10/2/2006	10/2/2006	Fri	5:15:20 PM	5:15:20 PM	Nasdaq accesses Jaccuzi Doc				JACUZZI				CS excel file
10/3/2006	10/3/2006	Mon			Jaccuzi engagement letter signed				JACUZZI				CS excel file
10/4/2006	10/4/2006	Tue	4:24:48 PM	4:24:48 PM	Nasdaq accesses Jaccuzi Doc				JACUZZI				CS excel file
10/5/2006	10/5/2006	Tue	4:25:48 PM	4:25:48 PM	Nasdaq accesses Jaccuzi Doc				JACUZZI				CS excel file
10/6/2006	10/6/2006	Wed	10:11:00 AM	10:11 AM	Phone Call	0:02:12	64741	11923332201600	JACUZZI	10.6	(53,520.00)	(53,520.00)	CS excel file
10/7/2006	10/7/2006	Wed	10:21:31 AM	10:21 AM	Purchase 5,000 Jaccuzi Brands	0:01:20	64741	11923332201600	JACUZZI				CS excel file
10/8/2006	10/8/2006	Wed	10:43:00 AM	10:43 AM	Phone Call	0:01:54	64741	11923332201600	JACUZZI				CS excel file
10/9/2006	10/9/2006	Thu	10:39:00 AM	10:39 AM	Phone Call	0:01:20	64741	11923332201600	JACUZZI				CS excel file
10/10/2006	10/10/2006	Thu	10:54:00 AM	10:54 AM	Phone Call	0:01:20	64741	11923332201600	JACUZZI				CS excel file
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U. S. DEPARTMENT OF AGRICULTURE

[illegible]

EXHIBIT C

Mark S. Silver MA, MSW, LCSW, PsyD, JD
30 Vesey St., Suite 100 NY NY 10007
Marksilver1@cs.com

LCSW License: 069495-1
Mitigation & Forensics
917-608-1346

Re: NASEEM, HAFIZ

MITIGATION REPORT

TABEL OF CONTENTS

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- VIII. HAFIZ AND AYESHA'S MARRIAGE
- IX. HAFIZ'S CHILDREN
- X. EDUCATION, EMPLOYMENT, HOBBIES, & VOLUNTEER WORK
- XI. PSYCHIATRIC & MEDICAL ISSUES

Mark S. Silver MA, MSW, LCSW, PsyD, JD
30 Vesey St., Suite 100 NY NY 10007
Marksilver1@cs.com

LCSW License: 069495-1
Mitigation & Forensics
917-608-1346

Re: NASEEM, HAFIZ

I. PROFESSIONAL CREDENTIALS

EDUCATION

City University of New York School of Law, Juris Doctor, 2002.

State Bars: New York & New Jersey; Federal Bars: SDNY & EDNY

Torts Teaching Assistant: Professor Penelope Andrews.

Activities: Treasurer, JLSA.

Columbia University, School of Social Work, 1998.

Certificate. Seminar in Field Instruction.

Southern California University for Professional Studies, Doctor of Psychology, 1997.

Honors: *Magna Cum Laude*.

Smith College School for Social Work, 1994.

Certificate Program in Family Therapy.

University of Toronto, Master of Social Work, 1993.

Thesis: The Efficacy of Individual Versus Couple Sessions for Borderline Clients.

Licensed Certified Social Worker: New York State License Number 064495-1.

University of Western Ontario, Master of Arts, Political Science, 1991.

Teaching Assistant: Political Theory.

Honors: Summer Bursary for Academic Excellence.

Thesis: Montesquieu's Troglodyte Tale: An Interpretation.

University of Toronto, Bachelor of Arts, History & Political Science Specialist, 1989.

Honors: All Souls Award for Best History Essay for Undergraduate Students.

Honors: All Souls Award Finalist for Best History Essay.

Honors: Ontario Scholar.

Honors: Max Rosen Award for Outstanding Community Service.

UNIVERSITY AFFILIATION

Columbia University. New York, NY. 1997-1999.

Lecturer. Field Instructor in the Faculty of Social Work.

Mark S. Silver MA, MSW, LCSW, PsyD, JD
30 Vesey St., Suite 100 NY NY 10007
Marksilver1@cs.com

LCSW License: 069495-1
Mitigation & Forensics
917-608-1346

Re: NASEEM, HAFIZ

HEALTHCARE EMPLOYMENT

Mitigation & Forensic Specialist & Healthcare Consultant.

Manhattan, NY. 1997 present.

Forensic Evaluations & Reports for Immigration, Criminal, & Family Cases:
Extreme hardship, deportation, asylum, waiver cases, criminal issues &
sentencing, spousal abuse, child custody, family evaluations. Individual & Family
Psychotherapy. Seminars for Adolescents. Group Therapy.

Solomon Schechter High School of New York. Manhattan, NY. 2000-2002.

Health Class: Mental health, drug use, family issues, sexuality. Grades 9/10/12.

Jewish Board of Family and Children's Services. Brooklyn, NY. 1997-1999.

Quality Assurance Coordinator. Incident review. Utilization review. Policy &
procedure manual. Direct care worker education. JCAHO & State Audits.

North General Hospital. East Harlem, NY. 1993-1997.

Psychiatric social work. Medical & ICU discharge planning.

New Hope Guild Clinic, Tikvah. Brooklyn, NY. 1993-1995.

Outpatient individual and family psychotherapy. Seminar presentations.

CLINICAL INTERNSHIPS

North York General Hospital. Toronto, Ontario. 1992-1993.

Day Hospital Outpatient Psychiatry & Mental Health Clinic. Internship I.

Humber Memorial Hospital. Weston, Ontario. 1991-1992.

Day Hospital Outpatient Psychiatry & Mental Health Clinic. Internship II.

LEGAL EXPERIENCE

Godosky & Gentile, P.C. September-December, 2001.

3L Internship. Drafted medical malpractice appeal brief to First Judicial
Department, Appellate Division.

Health & Hospitals Corporation, The City of New York Law Depart. Summer, 2001.

Summers Honors Program. Medical Malpractice & Tort litigation. Attended
depositions & prepared content. Attended preliminary and pretrial conferences,
settlement meetings, & motion arguments in court. Wrote summary judgments.

Mark S. Silver MA, MSW, LCSW, PsyD, JD
30 Vesey St., Suite 100 NY NY 10007
Marksilver1@cs.com

LCSW License: 069495-1
Mitigation & Forensics
917-608-1346

Re: NASEEM, HAFIZ

United States Attorney's Office, Eastern District of New York. June-August, 2000.
Argued several arraignment & bail hearings for permanent order of detention for narcotic importation. Participated in proffer sessions with narcotic agents. Assisted in preparing search warrant for international larceny. Researched briefs on: Rule 36 of FRCP, Habeas Corpus & AEDPA, United States Sentencing Guidelines, search & seizure & plain view doctrine. Observed several criminal trials from voir dire to verdict.

PUBLICATIONS & RESEARCH

Paper, Mark S. Silver- Starting Mitigation Immediately: Using Facts to Broadly Consider Alternate Theories of the Alleged Crime. 20 (1) *Atticus*, 10-12, (2007).

Paper, Mark S. Silver- Avoiding Legal Malpractice Claims: Knowing How to Interact with & Appease the Demanding or Dissatisfied Client. *Champion Magazine*, Jan-Feb. (2007). See three citations below.

Paper, Mark S. Silver & Orah R. Burack - The Benefits of Forensic Social Work in Immigration Law Practice. 3 (3/4), *Journal of Immigrant and Refugee Studies*. 29 42, (2006).

Paper, Mark S. Silver- The Evaluation & Legal Standards in Forensic Social Work Immigration Practice: Spousal Abuse, Asylum, Criminal & Other 'Hardship' Immigration Cases. 3 (3/4), *Journal of Immigrant and Refugee Studies*. 43-55, (2006).

Paper, Mark S. Silver- Avoiding Legal Malpractice Claims: Knowing How to Interact with & Appease the Demanding or Dissatisfied Client. 19 (1) *Atticus*, 17-19, (2006).

Paper, Mark S. Silver- Rethinking Mitigation: Legal Basis and Forensics. 18 (4) *Atticus*, 21-22, (2005).

Letter, Mark S. Silver- Re: Wiggins v. Smith & Mitigation. 33 (2) *Journal of the American Academy of Psychiatry & the Law*, 279 (2005).

Paper, Mark S. Silver- Evidentiary Stipulations: Tread Lightly. 24 (3) *Immigration Law Today*, 48-50 (2005).

Book Chapter, Mark S. Silver- Major Criteria in Mitigation Forensic Social Work: Wiggins v. Smith & Matter of Marin in Detail." In *Immigration's New Age*:

Mark S. Silver MA, MSW, LCSW, PsyD, JD
30 Vesey St., Suite 100 NY NY 10007
Marksilver1@cs.com

LCSW License: 069495-1
Mitigation & Forensics
917-608-1346

Re: NASEEM, HAFIZ

Discovery, Adaptation, and Survival. Ed. Steven Klapisch. (AILA, 2004). See five citations below.

Paper, Mark S. Silver- Making the Best Use of the Forensic Social Work Expert: Live Versus Telephonic Testimony for Court Hearings. 23 (6) *Immigration Law Today*, 51-53 (2004).

Paper, Mark S. Silver- Forensic Social Work Reports Can Play Crucial Role in Mitigating Criminal and Immigration Cases. 76 *Journal, New York State Bar Association*, 32-39 (2004).

Paper, Mark S. Silver- Applying Forensic Social Work and Health Care to the Fine Art of Litigation. 23 (2) *Immigration Law Today*, 46-49 (2004).

Paper, Mark S. Silver- *Wiggins v. Smith*: The Requirement of a Forensic Social Work Evaluation in Criminal Law Practice. 17 (1) *Mouthpiece: Newsletter of the New York State Association of Criminal Defense Lawyers*, 23-25 (2004).

Paper, Mark S. Silver- Major Criteria in Mitigation Forensic Social Work: *Wiggins v. Smith & Matter of Marin*. 17 (3) *Mouthpiece: Newsletter of the New York State Association of Criminal Defense Lawyers*. 10-13 (2004).

Paper, Mark S. Silver- Rethinking Harm and Pornography: Conflicting Community and Personal Views. 23 *Women's Rights Law Reporter*, 171-198 (2002). Finalist for the Corst Psychoanalytic Prize in 2001.

Paper, Mark S. Silver & Orah R. Burack - Transfer of Facility Clients to Inpatient Psychiatry: Eight Criteria to Consider. 24 (5). *Journal for Healthcare Quality*. 11 (2002).

Paper, Mark S. Silver- Inpatient Psychiatry Incident Review Management: Part I. Special Issues. 24 (2). *Journal for Healthcare Quality*. 4. (2002).

Paper, Mark S. Silver & Orah R. Burack - Challenges to Effective Incident Review Management: A Systemic Approach to Performance Improvements. 22 (5). *Journal for Healthcare Quality*. 6. (2000).

Paper, Mark S. Silver- Incident Review Management: A Systemic Approach to Performance Improvements. 21 (6). *Journal for Healthcare Quality*. 21. (1999).

Mark S. Silver MA, MSW, LCSW, PsyD, JD
30 Vesey St., Suite 100 NY NY 10007
Marksilver1@cs.com

LCSW License: 069495-1
Mitigation & Forensics
917-608-1346

Re: NASEEM, HAFIZ

Research, Mark S. Silver- Life Expectancy of Persons with Mental Retardation and Developmental Disabilities: A Literature Review. Research Project for Mishkon. (1998).

Book Review, Mark S. Silver- Behind the Uprising. *The Covenant*. (1990).

Book Review, Mark S. Silver- Hope in the Darkness. *The Covenant*. (1990).

PRESENTATIONS

Lawyer's Countertransference & The Mitigation Expert's Role: Roadblocks in the Consulting Process. The National Organization of Forensic Social Work Annual Conference. Hartford, CT. May, 2008.

Mitigation Fundamentals: Start Early Start Often. New York State Association of Criminal Defense Lawyers. CLE Seminar. St. Francis. Brooklyn, New York. October 12, 2007.

Mitigation for the Middle Class: How to Advocate for Criminal Defendants Who Did Not Grow Up in Underprivileged Environments. The National Organization of Forensic Social Work Annual Conference. Las Vegas, Nevada. April 2007.

Forensic Immigration Social Work: Types of Cases, Evaluation, Clinical Issues and Court Testimony. Grand Rounds. Department of Social Work. Mount Sinai Hospital. Manhattan, New York. April 18, 2005.

American Immigration Lawyers Association. 2004 Annual Conference on Immigration Law. Philadelphia, Pennsylvania. Practice Roundtable Panelist. Battered Spouses and Children. June 9, 2004.

Criteria to Facilitate the Transfer of Clients with Mental Retardation to Inpatient Psychiatry. 25th Annual YAI International Conference. Manhattan. NY. May 3, 2004.

Immigration Forensics and Social Work Consultation: Family Hardship, Spousal Abuse, Criminal, and Asylum Cases. The National Organization of Forensic Social Work 2004 Annual Conference. Tampa, Florida. May, 2004.

Forensic Evaluations and Reports for Immigration Clients: Structure, Presentation, Strategy, and Criteria. City University of New York School of Law. Continuing Legal Education Credits. Queens, NY. 1/29/2003.

Criteria to Facilitate the Transfer of Clients with Mental Retardation to Inpatient Psychiatry. YAI International Conference. Manhattan. NY. 4/29/2002.

Mark S. Silver MA, MSW, LCSW, PsyD, JD
30 Vesey St., Suite 100 NY NY 10007
Marksilver1@cs.com

LCSW License: 069495-1
Mitigation & Forensics
917-608-1346

Re: NASEEM, HAFIZ

Dealing with Clients with Mental Health Disorders: Major Areas of Concern for Attorneys. City University of New York School of Law. Continuing Legal Education Credits. Queens, NY. 2/6/2002.

The Difficult Client in Private Practice: Identifying the Dangers and Strategies for Intervention. City University of New York School of Law. Continuing Legal Education Credits. Queens, NY. 2/27/2002.

Incident Review Management in Inpatient Psychiatry: Special Challenges. YAI International Conference. Manhattan. NY. 5/2/2001.

Issues in Mental Health for Attorneys. City University of New York School of Law. Continuing Legal Education Credits. Queens, NY. 3/11/2001.

Growing Older: Re-establishing Your Identity by Exploring Your Needs. Rodeph Shalom Synagogue. New York, NY. 1/16/2001.

Communicating and Understanding Needs in Early Marriage. Ohav Tzedek Synagogue. New York, NY. 1/12/2001.

Early Aspects of Marriage: Communication Skills and Needs. Young Israel Synagogue. Forest Hills. NY. 12/10/2000.

Barriers and Obstacles to Incident Review Management: Solutions from the Healthcare Field. YAI International Conference. Manhattan. NY. 5/4/2000.

Incident Review Management: Systemic Performance Improvements. American Association for Mental Retardation. Annual Conference. New Orleans, LA. 5/28/1999.

Substance Abuse Psychosis Versus other Psychoses: Towards a Differential Diagnosis. Psychiatry Grand Rounds. North General Hospital. Harlem, NY. 3/1996.

Couples Therapy: An Object Relations Perspective. New Hope Guild, Tikvah. Brooklyn, NY. 8/1994.

Object Relations Marital Therapy. North York General Hospital. North York, Ontario. 4/1993.

Interventions for the Inpatient Psychiatric Spouse. Nursing Education Seminar. North York, Ontario. 3/1993.

Mark S. Silver MA, MSW, LCSW, PsyD, JD
30 Vesey St., Suite 100 NY NY 10007
Marksilver1@cs.com

LCSW License: 069495-1
Mitigation & Forensics
917-608-1346

Re: NASEEM, HAFIZ

What Goes Right in Clinical Social Work. Humber Memorial Hospital. Weston, Ontario.
4/1992.

PROFESSIONAL AFFILIATIONS (Past & Present)

American Immigration Lawyers Association
Criminal Bar Association of New York
Federal Bar Association
National Association of Criminal Defense Lawyers
New York State Association of Criminal Defense Lawyers
National Association of Social Workers
National Association of Sentencing Advocates
New York State Bar Association

II. MATERIAL

The content of the following report is based on:

- One interview with Hafiz's father and father-in-law conducted on March 25, 2008 in this evaluator's office.
- Two interviews with Hafiz Naseem on March 26, 2008 and May 22, 2008 at the Metropolitan Correctional Center (MCC).
- One interview with Hafiz's wife, children, and in-laws at their home on March 28, 2008.
- Review of various healthcare documentation and school reports regarding Hafiz's children.

III. REFERRAL SOURCE

Michael Bachner, Esq.
Bachner & Hershkovits
26 Broadway, Suite 2310
New York, NY 10004
Tel: 212-344-7778
Fax: 212-344-7774

IV. JURISDICTION

Honorable Robert P. Patterson
Senior United States District Judge
Southern District of New York
500 Pearl St., New York, NY

Mark S. Silver MA, MSW, LCSW, PsyD, JD
30 Vesey St., Suite 100 NY NY 10007
Marksilver1@cs.com

LCSW License: 069495-1
Mitigation & Forensics
917-608-1346

Re: NASEEM, HAFIZ

V. CLIENT DATA

Name: Hafiz Naseem
Date of Birth: October 7, 1970
Place of Birth: Lahore, Pakistan
Social Security number: 074-92-4470
Address: 74 Greenway Ln, Ryebrook, NY 10573
Tel: (h) 914-417-2972

Name: Ayesha Zubair
Date of Birth: October 13, 1976
Relationship: wife

Name: Danish
Date of Birth: December 16, 1997
Relationship: son

Name: Maheen
Date of Birth: August 21, 2000
Relationship: daughter

VI. SUMMARY STATEMENT

Hafiz, and his family members, have been outstanding community members both in Pakistan and in the United States, with values emphasizing family cohesion and devotion, educational excellence, community service, religious adherence, and a strong work ethic.

Hafiz has been deeply affected by the fact that when he was a child his mother suffered severe neurological problems, which greatly impacted the dynamic of his family. The tragic death of his sister from acute respiratory depressed syndrome at age 19 further set Hafiz's life course. It is also the case that his father has been ill for decades due to cardiac disease and endures serious depression. These combined issues made his family's life very tenuous. His daughter's heart-breaking illness of cerebral palsy and her related surgeries and systemic medical interventions at New York University Hospital, have also greatly influenced Hafiz's life.

Despite devastating life altering events in his childhood and adulthood, Hafiz has made enormous contributions to his family and community. He has selflessly given to the homeless and indigent, children in need, victims of tragedy, and numerous other peoples, as Hafiz has led a life of rare benevolence towards the needy.

Mark S. Silver MA, MSW, LCSW, PsyD, JD
30 Vesey St., Suite 100 NY NY 10007
Marksilver1@cs.com

LCSW License: 069495-1
Mitigation & Forensics
917-608-1346

Re: NASEEM, HAFIZ

The following mitigation report presents Hafiz's great family sorrow and strife informed by Hafiz's need for personal achievements and outstanding contributions caring for vulnerable family and community members.

VII. FAMILY OF ORIGIN

Personal Background

Hafiz Naseem was born in Lahore, Pakistan on October 7, 1970 with normal developmental milestones. Hafiz reports that he grew up in a loving and caring home and despite his mother's long-term illness and his family's many relocations he enjoyed his childhood as it was filled with a large extended family comprised of aunts, uncles, and cousins many of whom influenced him in subtle and positive ways. He says that his family lived a simple, content and modest life with most of the basic necessities that they required.

Hafiz does not have any personal or family history of alcohol abuse, illicit drug use, violence, abuses, psychiatric pathology, or illegal activity.

Religious Upbringing

Hafiz reports that he was raised in a modern Muslim home and internalized his family's spirituality and deference to God. He feels that his faith provides him and his family with comfort, community contacts, and facilitates greater introspection. Hafiz says that he now prays for the health and safety of his family members and for guidance in his life so that he will make healthy choices that promote their well-being. He says that his faith is still strong despite the extreme emotional hardships and traumas that he has suffered in his lifetime. He feels that his faith has at times been his only salvation and anchor without which he would have given into total despair long ago.

Mother's Neurological Problems

Hafiz's mother, Parveen Akhter, who is 59 years old, has been very ill for about thirty seven years. She is a chronic patient of uncontrolled seizure disorder (Epilepsy) for which she has required numerous medications to control her symptoms. Parveen is also prescribed heavy tranquilizers to help control her seizures. Hafiz says that his mother endured numerous side effects from the medications, including joint swelling, limb edemas, weight gain, decreased sight and vision, and frequent falls (one of which caused her to break her arm and other bone fractures over the years), and hard of hearing.

Hafiz truly understands the loss that his children, Maheen and Danish, would suffer if he remains absent from them for a prolonged period due to incarceration. He reiterated that

Mark S. Silver MA, MSW, LCSW, PsyD, JD
30 Vesey St., Suite 100 NY NY 10007
Marksilver1@cs.com

LCSW License: 069495-1
Mitigation & Forensics
917-608-1346

Re: NASEEM, HAFIZ

he will require a life-long commitment to his family's needs and other praiseworthy behaviors, which he prays he can begin as soon as possible.

Mohammed's Bravery & Cardiac Conditions

Hafiz's father, Mohammad, who is 66 years old, suffers from a long history of high blood pressure followed by serious heart attacks (the first at age 35) that have left him extremely vulnerable to further cardiac events. Hafiz's father has never waived from his family duties, yet it is clear that his father has been chronically ill and depressed for several decades.

Mohammad Naseem was educated as a civil engineer and was employed as a chief engineer for the Pakistani railroad system. Hafiz describes his father as the bravest man he has ever met remaining stalwart and strong even in the face of overwhelming family tragedies and challenges that would have forced other fathers to unhealthy personal distractions or even abandonment.

Mohammed Naseem reports that Hafiz has been an outstanding son in every manner and despite the current unfortunate situation has thanked God every day for the wonder of Hafiz's warm-hearted nature and giving disposition to Hafiz's mother without whom the family would have deteriorated long ago. He says that Hafiz is a "clean-hearted, intelligent, caring, boy whose sincerity to friends and devotion to family has been wonderful.

Childhood Experiences Missed

Hafiz reports that in many ways he had a happy and healthy childhood, however because of his mother's illness there were many activities that he could not participate in. For example, he says that many of his friends went camping but he could not as his father would not take the chance that his mother would become acutely ill while away from home. This meant that their family could never be far from their home or a medical center. He says that he did not enter school plays because his mother could not attend due to her illnesses. He believes however that whatever activities he missed out on he made up for by learning about familial responsibilities and the meaning of sacrifice for others at an early age. Hafiz simply felt blessed that his family lived each day together.

Sister's Tragic & Untimely Death

Hafiz's sister, Mehnoor, was born on January 22, 1977. Mehnoor had a promising academic future given her high grades and intellectual acumen, however she died suddenly after beginning college. Hafiz reports that Mehnoor was the darling of the family because of her charming personality and because his paternal family treasured her

Mark S. Silver MA, MSW, LCSW, PsyD, JD
30 Vesey St., Suite 100 NY NY 10007
Marksilver1@cs.com

LCSW License: 069495-1
Mitigation & Forensics
917-608-1346

Re: NASEEM, HAFIZ

as the only female child born in three generations. Mehnoor had taken up the role of caregiver for their mother. In many ways she had also become the woman of the house growing up very quickly because of their mother's illness.

Hafiz says that the loss of his sister also led his parents to quickly agree on an arranged marriage for him believing that in some way Mehnoor's absence could be replaced by the addition of another young woman in the family. He says that his wife is a wonderful woman whose presence has greatly added to the well-being of their lives.

Mehnoor died on December 20, 1995 after a bacterial lung infection caused her to fall into an irreversible coma. He says that when she was hospitalized his parents accepted that Mehnoor was ill, but when she died a short time later there was shock, terror, and a sense of helplessness among Hafiz and his family members from which they have never fully recovered. Hafiz says that his parents' health quickly deteriorated and he found himself numb with pain unable to erase from his mind thoughts of his sister's smile and their loving sibling relationship in which he was the elder brother and she was the young sparkling sister.

Hafiz noted that the medical care in Pakistan has made great strides in the past several years, though it in no way begins to approach the healthcare available in the United States and he believes that his sister would likely still be alive if she had benefited from the level of professionalism that he has witnessed in American hospitals. Hafiz reports that his daughter, Maheen, is able to walk today due to miracles performed by a team of wonderful physicians at the New York University Hospital.

Brother Follows in Father's Footsteps

Hafiz's brother, Usman, was born on September 27, 1973 and is a Major in the Pakistani army as a civil engineer. Hafiz says that his brother will soon be promoted yet again and is married to Zahra with whom he has a daughter, Shafaq, who is 8 years old, and a son, Zain, who is 4 years old. Zahra's grandfather was also in the railroad system and therefore their families knew one another and Mehnoor and Zahra were quite close as friends long before Zahra became a member of the family. Usman's daughter was the first female grandchild in the family and her birth was a blessing given the losses they suffered. Hafiz says that he had always been close to his brother and sister and as the eldest sibling cared for and protected his brother and sister in what ever manner he could.

Responsibility as the Oldest Child-Sibling

Hafiz reports that as the oldest child and son in a traditional Pakistani family he adopted the role of co-parent, especially due to his mother's illness and his father's work schedule, and attended to many of the needs for his siblings and parents. He says that he